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Message Text

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43
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 COME-00 EB-07 JUSE-00 TRSE-00

CIAE-00 INR-07 NSAE-00 /030 W
---------- 000194
R 301610Z APR 76
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 3482

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E. O. 11652: N/A
TAGS: PGOV PFOR CY
SUBJECT: CABINET TASK FORCE ON QUESTIONABLE PAYMENTS ABROAD:
FOREIGN LAWS ON QUESTIONABLE PAYMENTS

REF: STATE 094647

1. IN RESPONSE TO QUESTIONS POSED IN PARAGRAPH 2 OF REFTEL FOLLOWING ANSWERS WERE OBTAINED FROM GOC ATTORNEY GENERAL'S OFFICE:

A. YES.

B. NO, UNLESS CRIMINAL PROCEEDINGS HAVE ALREADY BEGUN AND THEN AILURE TO DISCLOSE INFORMATION CONCERNING PAYMENTS COULD IN CERTAIN CASES BE CONSTRUED AS WITHHOLDING EVIDENCE.

C. NO, UNLESS INVOLVEMENT OF AGENT IS IN CONJUNCTION WITH CONSPIRACY TO DEFRAUD.

D. NO, UNLESS IT CONSTITUTED CONSPIRACY TO DEFRAUD OR TO CORRUPT AN OFFICIAL.

E. NO, UNLESS CRIMINAL PROCEEDINGS HAVE ALREADY BEGUN AND THEN FAILURE TO DISCLOSE INFORMATION CONCERNING SUCH CONTRIBUTIONS COULD IN CERTAIN CASES BE CONSTRUED AS WITHHOLDING EVIDENCE.

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F. NO, ALTHOUGH SUCH PAYMENTS MIGHT BE CONSTRUED AS

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EVIDENCE OF CONSPIRACY TO DEFRAUD BY ILLEGALLY AFFECTING MARKET PRICE.

2. CYPRIOT CRIMINAL CODE TREATS COMPREHENSIVELY UNDER SECTIONS 100, 101 AND 102 QUESTIONS OF OFFICIAL CORRUPTION, EXTORTION BY PUBLIC OFFICERS AND RECEIPT OF PROPERTY BY PUBLIC OFFICERS TO SHOW FAVOR. CODE TREATS SUCH OFFENSES AS MISDEMEANORS LIABLE TO IMPRISONMENT AND FINE. CYPRUS DOES NOT HAVE LAWS DEALING SPECIFICALLY WITH POLITICAL PARTIES OR POLITICAL CONTRIBUTIONS. SECTION 302 OF CRIMINAL CODE TREATS CONSPIRACY TO DEFRAUD AS MISDEMEANOR LIABLE TO IMPRISONMENT.

3. FULL TEXT OF RELEVANT LAWS IS BEING POUCHED TO L/PM AS REQUESTED. CRAWFORD

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
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Draft Date: 30 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: BoyleJA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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To: STATE
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